

# AMALGAMATED TRANSIT UNION

906 MAIN ST., SUITE 314 · CINCINNATI, OHIO 45202-1383 TELEPHONE 513-721-2133 · FAX 513-721-4089

Date:

02.000 10 60 10:26

The Honorable Norman Mineta Secretary, U.S. Department of Transportation 500 Seventh Street, SW

Washington, D.C. 20590

€MLSA-01-4709-362

Re: Docket Nos. FMCSA-2001-9709 and FMCSA-2000-7382 - 404

Dear Secretary Mineta:

As a transit worker, and a member of the Amalgamated Transit Union (ATU), I strongly urge you to **reconsider the new rule** recently issued by the Federal Motor Carrier Safety Administration (FMCSA) (67 FR 49742), requiring States to disqualify a commercial drivers' license (CDL) holder from driving a commercial motor vehicle (CMV) if they are convicted of certain serious traffic violations committed while operating a non-CMV.

Under this new rule, I could lose my CDL, and thus my job, if I receive more than one speeding ticket within a three year period while operating my own personal vehicle, regardless of whether my State revokes my personal drivers' license. This was clearly not the intent of Congress, which authorized the FMCSA to require the disqualification of a CDL holder's CMV driving privileges only after the person has been both convicted and has had his/her non-commercial drivers' license revoked, cancelled or suspended by the State.

Please, reconsider this rule and amend its provisions to conform with the requirements set forth by Congress. My job could be at stake!

Sincerely

Member/

ATY Local 627



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Sincerely,

James Burger
Member, ATU Local 627



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Date: //-5-02 TELEPHONE 513-721-2133 · FAX 513-721-4089

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Member. ATU/Local

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President
SHARON B. ANDERSON
Financial Secretary-Treasurer



### QUEEN CITY OF THE WEST DIVISION NO. 627

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Member, ATU Local 62

MITCHELL HAMPTON

President

SHARON B. ANDERSON

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